

**Speech given by Justice Gray at the Admission Ceremony on Friday,
20 October 2006**

On behalf of the Court which, on this Admission Ceremony comprises Justice Crispin, Justice Connolly and myself, we congratulate you and welcome each of you on your admission as lawyers.

This is the first admission ceremony that I have participated in since the enactment of the *Legal Profession Act 2006*.

Most of you have graduated from the Australian National University or the University of Canberra, but others at this sitting are graduates from New South Wales, Western Australia and Queensland. Victoria is represented at the other two sittings. Quite a diversity and an indication of a truly national profession. It is in this context that we have the *Legal Profession Act* replacing the *Legal Practitioners Act*.

The enactment of that Act is a significant milestone. It means that the practice of what has been sometimes unkindly described as the second oldest profession should, after all this time, be generally regulated by uniform legislation throughout the States and Territories of Australia.

By this ceremony you are now admitted to the legal profession and you are now described in the *Legal Profession Act* as a “lawyer”. Lest that conjure up a vision of ranks of grey faceless persons, let me say that before the enactment of the *Legal Profession Act*, we

admitted persons not as lawyers but as legal practitioners – a slightly more colourful term. You now, however, only become a legal practitioner for the purposes of the Act when you hold a practising certificate.

I think that in the past, the designations of legal practitioners were more colourful when the practice of the law was recognised as encompassing a diversity of callings. Those callings used to be specified in some of the State Acts regulating admissions: barrister, solicitor, proctor and attorney. Some States recognised the calling of conveyancer. Persons could then hold commissions to take affidavits and to notarise documents. Notary Public has a particularly important sound to it, much more so than “lawyer”. On the other hand, perhaps we do not miss the demise of some callings such as that of proctor. The ecclesiastical jurisdiction of the courts are no longer with us but the inheritors of the jurisdiction, those who practice family law, probably appreciate being relieved of the duty to check the bed linen (as was sometimes once the task of the proctor looking for evidence of collusion in divorce proceedings).

Nevertheless, these callings are the background to the diversity which the practice of the law offers, whether it be the bar, private legal practice, commerce, industry or in the government service. Which of those you choose, you have this Court’s best wishes for your future endeavours in whatever field of law you make your career. There is, however, one thing that I should remind you of. By your admission here, you become officers of this Court and you will carry with you the responsibility that your admission in this jurisdiction entails. Your admission entitles you to practise throughout Australia, but the

fundamental responsibilities that you are accepting in this Court today, as an officer of this Court, will be maintained over the course of your career in the law.

In these times, as you are aware, the legal profession and the judiciary are both under far more intense public scrutiny than in the past. It is proper that it be so, but it makes it imperative for your own protection that you have a grounding in, and a commitment to, the professional rules that will regulate your practise of law. Those professional rules governing your practice are based on standards of honesty, integrity, respect and courtesy which the public, the Court, and your fellow practitioners are entitled to expect.

For those of you who have determined to enter the practice of the law as legal practitioners, whether as barristers or solicitors, a very positive aspect is that, by entering this profession, you gain the assistance of your fellow practitioners. You have the benefit of participating in the Bar Association or the Law Society. Through those bodies, you will be given not only comradeship but true support and assistance. This is one of the great traditions of the legal profession. You should always be open to, and ready to participate in that tradition.

To be a good lawyer you will spend your lifetime learning the law, and this is just when you thought that by completing your studies, you knew it all. There are many times when I, too, am reminded of this, both by counsel and by the appeal court. You will, however, be surprised how much, and how soon, people will come to rely upon your skills, learning

and integrity. You will soon have brought home to you your responsibilities to your client, to the court and to the profession itself.

Another important thing is the perspective from which you approach this, your chosen profession. It is a challenge to question and to not accept that which is received wisdom. You have the discipline and training for that challenge. You also have the training to find innovative ways to solve the problems with which your clients face.

It may not be necessary to do pro bono work or work in legal aid to be a force for achieving social justice, although I commend those ways of doing so. The legal profession prides itself on implementing the accepted principles of fairness, equality and human rights. You should embrace that. Lawyers like yourselves, carrying on your responsibilities under the law must do the utmost to understand the situation of those you deal with, and be always ready to equally uphold the rights of all. More so, if the cause is not particularly popular. I urge you, if called upon, to accept the challenge of accepting instructions to represent all who need representation and to do so without fear or favour.

This is an important day for you and your family and friends. It represents your considerable achievement and it reflects the support that you have been given by those who care for you. They, too, can share in this event and be justifiably proud of you and their role. To all you new lawyers, the Court wishes you well in facing the challenges of the future.